

1 UNITED STATES DISTRICT COURT  
2 DISTRICT OF NEVADA

3 JAMES MCDANIEL,

4 Plaintiff

Case No. 3:19-cv-00101-RCJ-WGC

ORDER

5 v.

6 JAMES DZURENDA,

7 Defendant

8  
9 **I. DISCUSSION**

10 Plaintiff, who is a prisoner in the custody of the Nevada Department of Corrections  
11 (“NDOC”), has submitted a blank 42 U.S.C. § 1983 complaint form and has not filed an  
12 application to proceed *in forma pauperis* in this matter. (ECF Nos. 1, 1-1). Additionally,  
13 Plaintiff has filed a one-sentence motion for appointment of counsel (ECF No. 1-2) which  
14 is difficult to read.

15 Under Federal Rule of Civil Procedure 3, “[a] civil action is commenced by filing a  
16 complaint with the court.” Fed. R. Civ. P. 3. As such, the Court grants Plaintiff thirty (30)  
17 days from the date of this order to submit a complaint to this Court.

18 Under 28 U.S.C. § 1915(a)(2) and Local Rule LSR 1-2, Plaintiff must complete an  
19 application to proceed *in forma pauperis* and attach both an inmate account statement  
20 for the past six months and a properly executed financial certificate. Plaintiff will be  
21 granted an opportunity to file an application to proceed *in forma pauperis*, or in the  
22 alternative, pay the full filing fee for this action. If Plaintiff chooses to file an application  
23 to proceed *in forma pauperis* he must file a fully complete application to proceed *in forma*  
24 *pauperis*.

25 The Court denies Plaintiff’s motion for appointment of counsel (ECF No. 1-2)  
26 without prejudice at this time. If Plaintiff seeks to file a motion for appointment of counsel,  
27 he should detail the reasons why he seeks counsel.

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